

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re PATENT APPLICATION of: |) | Confirmation No. 8786 |
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| Jay Lal MEHTA |) | |
| |) | |
| Application No.: 10/573,353 |) | Group Art Unit: 1617 |
| |) | |
| Filed: June 8, 2007 |) | Examiner: Timothy E. Betton |
| |) | |
| FOR: THERAPEUTIC TREATMENT |) | Date: August 27, 2009 |

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants request that the Examiner consider this Information Disclosure Statement and the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Office Action or a Notice of Allowance. The Commissioner is hereby authorized to charge **\$180.00**, as specified by §1.17(p), to Deposit Account No. 50-0310 for this Information Disclosure Statement under the provisions of 37 C.F.R. §1.97(c).

Copy of the listed U.S. publication is not required to be provided. Accordingly, no copy of the listed document is attached. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

Also submitted with this Information Disclosure Statement is a copy of the file history of the corresponding European Patent Application EP 04768663.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully Submitted,
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